

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

255M0493

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1162** -

02/02/2006

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Howie, Boomgarden, Brunner, Davis, Dykstra, Faehn, Frost, Fryslie, Gassman, Glover, Halverson, Hanks, Hargens, Haverly, Jensen, Jerke, Koistinen, Kraus, Kroger, McCoy, Murschel, Nelson, O'Brien, Pederson (Gordon), Peters, Rausch, Rave, Rhoden, Sigdestad, Street, Turbiville, Valandra, Van Etten, Vehle, and Willadsen and Senators Apa, Kloucek, Lintz, McNenny, and Moore

1 FOR AN ACT ENTITLED, An Act to provide for restitution to the state for expenses incurred  
2 in investigating false claims related to pesticide use.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 38-21 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any person, or representative of the person, who files with the secretary an allegedly false  
7 or frivolous claim of damage caused by the use of a pesticide is subject to an action in circuit  
8 court initiated by the State of South Dakota. If the court determines that the person or the  
9 person's representative intentionally or maliciously filed a false or frivolous claim of damage  
10 caused by the use of a pesticide, the person shall provide restitution, as determined by the court,  
11 for expenses incurred by the State of South Dakota in the investigation of the false or frivolous  
12 claim.

